DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE 12/6/82
EXCISE [illegible] DATE [illegible]
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RELEASE [illegible] in part
PA & FOI EXEMPTIONS B1 - B6

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991

EXCISE

Excise upgrade D Cat as appropriate

B1 B3/5/6 + Irrelevant

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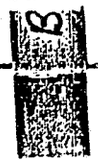

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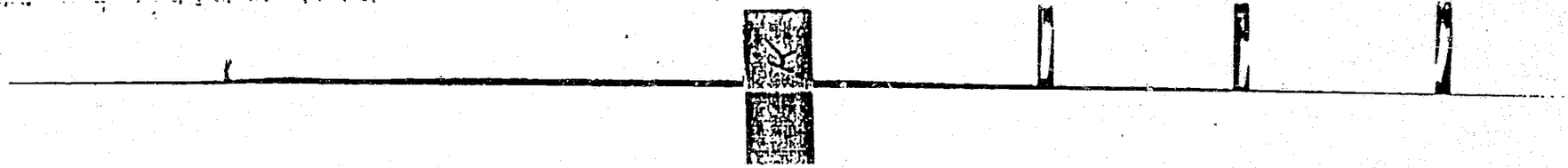


Release K

VISITS	Pris.Reg.	1940	15 minutes every two months
	" "	1923	15 minutes every six weeks
Correspondence	" "	1940	1 letter every 4 weeks
	" "	1923	1 letter every 4 weeks
Services	" "	1940	Free to attend - no time stated
	" "	1923	The same - service should be once a week
Death	" "	1940	Relatives will be notified and asked whether they will pay for the funeral, otherwise the corpse is turned over to the police.
	" "	1923	The same.

PRISON REGULATION 1923 Release

VISITS

1) Remand prisoners may be visited with the permission only of the judge, other prisoners with the permission of the Director. Relatives will be denied to see a prisoner when order and discipline will be disturbed or the visitor is suspected to influence the prisoner in a bad sense. Other ~~xxx~~ visitors will be permitted to see the prisoner when their reasons are justified. The time for a regular visit will be at least 15 minutes. In the visiting rooms the arrangements will have to be made in such a way avoiding to hurt the prisoner's and visitor's feelings, provided order and security will not suffer from it.

2) Prisoners sentenced to penitentiary may be visited every 3 months, prisoners, sentenced to imprisonment or detention every six weeks. Visits concerning legal or business matters may be permitted within shorter intervals.

3) Conversations between the visitor and a remand prisoner may be carried on in the presence only of a judge or of an officiel appointed by him, conversations with other prisoners in the presents of a guard of the prison institution. The conversation has to be made in a language the guard understands. The supervision will be executed with consideration. The Director may also permit to a prisoner the visit without being supervised.

4) Every misuse ~~fmx~~ of a visit for unauthorized communication will result in the immediate interruption of the visit.

5) As long as the main trial has not been opened, the remand prisoner is permitted to communicate with his defense counsel, unless the judge has ordered personally certain restrictions.

Correspondence

1) Correspondence is supervised.

2) Prisoners for penitentiary may send out a letter every two months, o prisoners every four weeks. Prisoners are to write their letters on Sunda or holidays. Exceptions are made by the Director, especially letters conce legal or business matters. [illegible] same applies to receiving mail. Letters from relatives will be handed o[illegible] the prisoners unless they come in so short intervals they are disturbi[illegible] order.

3) Every prisoner is allowed [illegible] letter following immediately his delivery into the institution informing his relative about his confinement.

4) Prisoner will get advice in legal matters.

5) Writing material will be delivered by the institution, but should be not more than one sheet.

6) Letters to authorities do not fall under the restrictions of time.

7) Incoming or outgoing letters will be objected when the contents is against order and security and will help the prisoner to escape or is against decency.

Letters will be censored and initialed. It is not permitted to make parts of the letters illegible. Is there any objection to a letter, the prisoner is to

Prison Regulation of 1923

be informed about its parts which are not objected. The letter will be taken to his personal files.

With outgoing letters the date ~~of~~ when it is forwarded will be noted. The prisoner is informed about the part that is objected and is permitted to rewrite it.

Morale activities

1) Every prisoner is permitted to get the ~~xx~~ moral support of a chaplain.
2) He is free to attend the service and the religious lessons. They are provided with the hymn-book.

Service

1) Every institution must have one room available for the service. The hymns are to be accompanied by the organ or harmonium.

2) Service will be once a week. If there is not a full-time chaplain, the service will be every two weeks, if there are less than 50 prisoners but more than 10 prisoners of the same creed, the service will be every four weeks.

4) The service is to be performed regularly on Sundays and holidays.

5) During the Easter time the prisoner is permitted to make confession and to receive the communion.

Birth and Death

1) In case of birth and death the Director has to notify the Standesamt, however, he mentions only the street and number, not the name of the institution.

2) The relatives have to be notified immediately, if necessary by telegram The Director has further to notify the police of the prisoner's residence and the penal administration.

3) The physician has to ascertain the death and the cause of death in the records. Together with informing the relatives of the death they have to be asked whether they will pay the costs of the funeral. If the relatives do not consent in a certain time to take the costs, the corpse will be disposed of to the police, which will order the usual funeral or give the corpse to lecture purposes, unless the prisoner has expressly stated that his corpse is not to be used for such purposes.

5) In cases of unnatural death the prosecutor has to be notified.

6) The possession of the prisoner will be turned over to that authority that has to pay for the funeral.

Release K

V I S I T S

1940 Prison Regulation:

General

1) The prisoner may receive visits in certain intervals. Each visit must be approved by the Director of the institution.

2) Visits concerning legal or business matters of the prisoner or his future as well as visits for special urgent reasons may be approved by the Director outside of the regular periods.

Visitors.

1) The Director decides who will see the prisoner.

2) The approval for relatives will be only denied if the visitor is suspected of causing a disturbance of order and discipline or will have a bad influence on the prisoner.

3) Other visitors will receive the permission by the Director if their visit is reasonably justified or if the visit will favorably influence the prisoner or be to the advantage in his future.

4) The prisoner's children under 16 years, of age if at all, are permitted in company of adults. The visit of other children under 16 years of age is not permitted.

5) More than three visitors at the same time for one prisoner are not allowed.

Permission to visit

1) Asks a visitor to be admitted, the prisoner will be heard first, unless there are reasons for denial, or it may be assumed the prisoner will have no objection to see the visitor.

2) In case of sickness of the prisoner the physician will be heard.

Visiting time

1) The Director will lay down the visiting time for the institution. The regulation will take into consideration that relatives with working contracts may be permitted to see the prisoner on Sundays and holidays so that they might use the advantage of reduced weekend tickets.

2) The time will be at least 15 minutes. every two months (page 71)

Rooms for visits

1) Special visiting rooms and waiting rooms will be available. Any separation appliances will not be higher than a desk.

2) On exceptional occasions a visit may take place in another room of the institution or for urgent reasons in the cell of the prisoner when he is alone. A sick prisoner, unable to leave his cell, may be visited in his cell with the permission of the physician.

Supervision during the visit

1) The conversation between visitor and prisoner will be supervised by a guard unless special instructions are provided for.

2) The visitor, when he is not known to the guard, has to identify himself. The visitor is made acquainted by the guard or by regulations posted in the waiting room, how he has to behave during the visit.

3) The conversation will be held in the language the guard understands or with an interpretor, who is to be paid by the prisoner. Understanding by means of gestures are not permitted. In case of deafness the Director has to give special instructions. The usual greating forms as to physical contact are to be permitted by the supervising guard as far as no intrigues are suspected. The prisoner may neither receive from nor give anything to the visitor without the Director's permission.

4) Supervision is carried out with consideration.

5) The visit will be immediately interrupted when the authority or penal administration or order and discipline are in danger.

Special Regulations

1) The oral communication of the prisoner with his lawyer in a crimin... matter will be applied according to Section 148 of the Code of Criminal Procedure (Section 148 reads: The accused, who is detained or at least detained pending trial, is permitted oral and writing intercourse with his defense counsel.....) It is sufficient when a guard is present instead of a judge.

Visitor's List

Every visit is registered in a visitor's list with time and date and is also recored in the personal file of the prisoner.

Prison Regulation of 1940

Correspondence (Every 4 weeks)

The dates of the letters are taken down on a card by the prisoners, they have however, to request a day before they want to write a letter to be permitted to right a letter the next day.

Applications to the court or authorities do not fall under the stipulated periods.

Sundays and holidays have to be used for letter writing. The writing material is supplied by the institution. More than four pages of a letter sheet of the institution is not allowed, exceptions may be granted on special occasions. The letter must be written with ink and to be delivered in an open envelop.

The prisoner may receive letters in the same interval he is permitted to write. Letter coming from authorities and relatives do not fall under the time restrictions. Letters to and from the prisoners are read by a guard and will be initialed by him. Letters or from the prisoner to authorities will be forwarded with a covering letter of the institution giving information about the conviction and any detainers, or explaing misunderstandings. The prisoners have to keep their letters in a certain place in their cells. The letters will be taken away from him when he is suspected of misusing them or the supervision will suffer from it.

The prisoner's letter will not be forwarded when it means an abuse or is against order and discipline, when the letter is addressed to a co-accused or prostitutes, who is allegedly engaged to him, when the letter is insulting or not true, when it is against decency or when it is against security or could support an attempt to escape.

Post cards , the handing over of which is not regarded necessary by the Director may be detained and counted as regular time letters without notifying the prisoner.

If there are any objectionable parts in his letter the prisoner will be permitted to re-write it, or he will be handed out parts of the incoming letter which are not objected. The detained letter will be filed in his personal files. Every letter is registered in a card file under dates of forwarding, the name of the prisoner and the addressee.

Stamps have to be paid by the prisoner.

The sending of packages or money depends on the decision of the prison director. To send necessaries and luxuries is forbidden.

Prison Regulation of 1940

Service

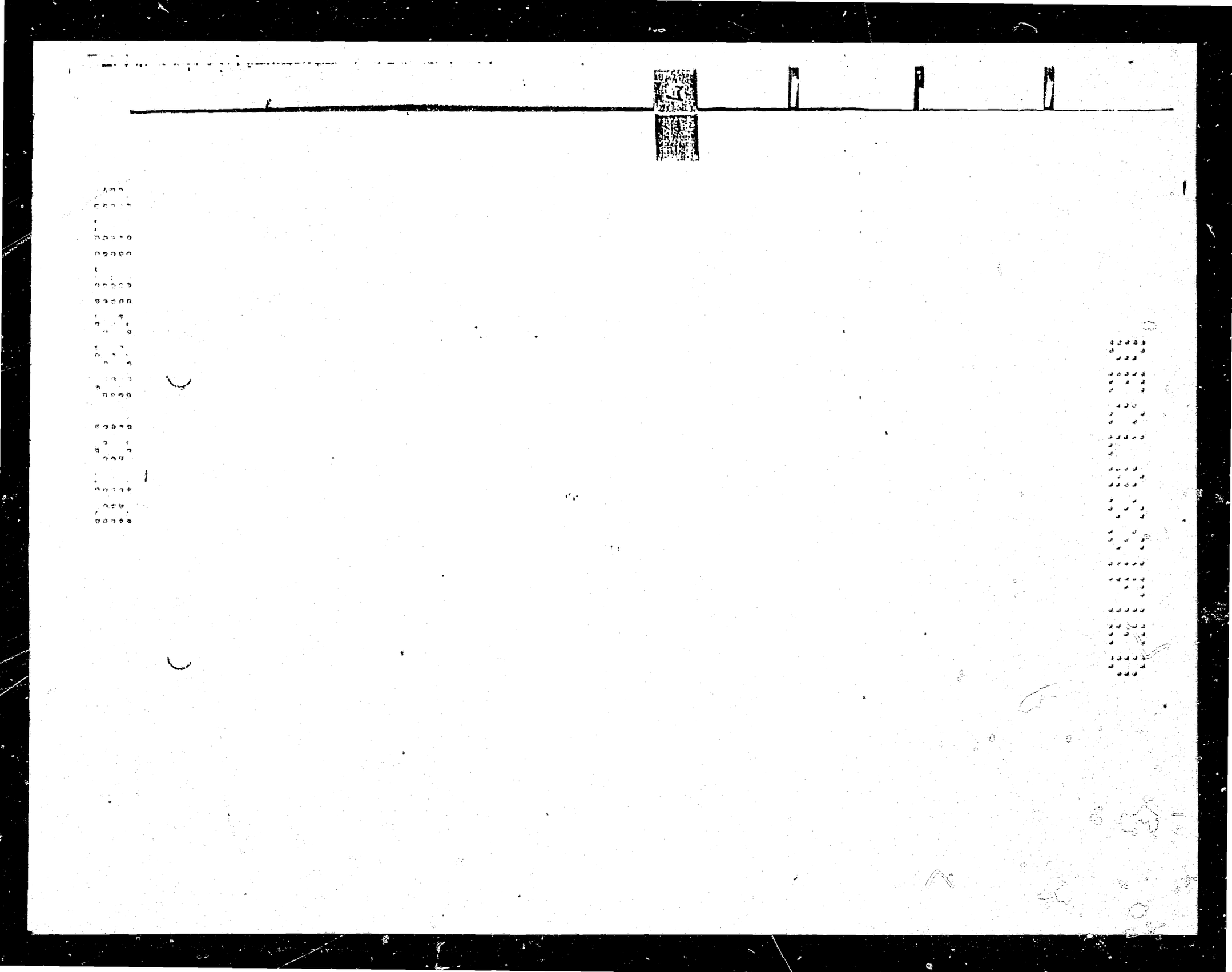
The prisoner is permitted the moral support of a chaplain. He is free to attend the service.

Death

In case of death the prison physician ascertains the death and has to make a notification in the personal files. Besides the prison physician a second physician may be asked.

In case of unnatural death the prosecutor has to be informed. The relatives will be informed immediately, if necessary by telegram, at the same time they will be asked to state within a certain time, if possible within 24 hours, whether they will take care of the charges for the funeral. If they will not pay for it, the corpse will be turned over to the police for the funeral, unless special instructions are given concerning lecture purposes.

The Standesamt, Police and penal administration has to be notified.



L -- Release

SIC DOCUMENTS

Charter of the International Military Tribunal -
Implementing London Agreement of August 8, 1945.

Article 29.

E X T R A C T

1. In case of guilt, sentences shall be carried out in accordance with the orders of the Control Council for Germany, which may at any time reduce or otherwise alter the sentences, but may not increase the severity thereof.

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